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Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DONALD H. PUTNAM, an individual,

Plaintiff,

v.

PUTNAM LOVELL GROUP NBF
SECURITIES, INC., a Delaware
corporation, and NATIONAL BANK OF
CANADA, a Canadian chartered bank,
NATIONAL BANK FINANCIAL, INC., a
Quebec corporation; and DOES 1-20,
inclusive,

Defendants.

CASE NO. C 05 1330 CW

**STIPULATION AND ORDER
ADJOURNING HEARING DATE AND
DATE OF THE FURTHER CASE
MANAGEMENT CONFERENCE**

WHEREAS, pursuant to stipulations of the parties, this Court ordered, on March 17, 2006, that the hearing date of defendants' motion to dismiss plaintiff's first amended complaint is adjourned to April 7, 2006, and the discovery cut-off dates are vacated and are to be re-set at a Further Case Management Conference, currently scheduled for May 12, 2006, but to be

1 held on April 7, 2006, should the Court desire oral argument on defendants' motion to dismiss the
2 amended complaint;

3 WHEREAS, an extended outage of defendants' computer network has interfered
4 with, and delayed, completion of defendants' reply papers on their motion to dismiss;

5 WHEREAS, in view of the computer problems, and to enable defendants to
6 prepare their reply papers, the parties have agreed to adjourn the date of the hearing on the motion
7 to dismiss, in compliance with this Court's Rules;

8 IT IS HEREBY STIPULATED AND AGREED, as follows:

9 1. The hearing date for defendants' motion to dismiss plaintiff's amended
10 complaint shall be adjourned to April 21, 2006.

11 2. The parties agree that, if the Court's calendar allows, it would be
12 expeditious to hold the Further Case Management Conference on April 21, 2006 as well, rather
13 than on the currently-set date of May 12, 2006, so that new discovery cut-off dates can be set.

14 3. Accordingly, the parties hereby stipulate that should the Court desire oral
15 argument on defendants' motion to dismiss the amended complaint, the Further Case
16 Management Conference shall also be held on April 21, 2006, otherwise it will take place on May
17 12, 2006 as initially scheduled.

18 Dated: March 23, 2006

TORYS LLP

19 By: /s/ Lauren Reiter Brody
20 Lauren Reiter Brody

21 Attorneys for Defendants

22 Dated: March 23, 2006

KEKER & VAN NEST, LLP

23 By: /s/ Christopher C. Kearney
24 Christopher C. Kearney

25 Attorneys for Plaintiff

26 So Ordered:

27 /s/ CLAUDIA WILKEN
28 Claudia Wilken
United States District Judge